

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

BRIGHT SACKY,

Plaintiff,

Case No. []

v.

NOTICE OF REMOVAL

FIRST PREMIER BANK and TRANSUNION,
LLC,

Defendants.

Pursuant to 28 U.S.C. §§ 1331, 1441(b), and 1446, defendant First Premier Bank (“First Premier”), by and through the undersigned counsel, hereby removes this action to the United States District Court for the Southern District of New York. In support, First Premier states as follows:

BACKGROUND

1. On April 4, 2025, plaintiff Bright Sackey (“Plaintiff”) filed a Complaint (“Complaint”) against First Premier in the Supreme Court of the State of New York, County of Westchester, Index No. 60508/2025 (“State Court Action”). *See* Complaint, attached as Ex. A.

2. On April 18, 2025, Plaintiff filed an affirmation of service stating that First Premier was served a copy of the Complaint on April 17, 2025. *See* Affirmation of Service, attached as Ex. B.

3. The Complaint and affirmation of service on First Premier constitute all process, pleadings and orders filed in the State Court Action.

4. First Premier has not yet served an answer or other response to the Complaint.

5. By filing this notice of removal, First Premier does not waive any claim, counterclaim, or defense that may be available to it, including, but not limited to lack of personal

jurisdiction, improper venue, failure to state a claim upon which relief may be granted, and that the card agreement(s) governing the parties' relationship requires that this suit be filed in arbitration.

BASIS FOR REMOVAL

Federal Question Jurisdiction

6. Removal of this matter is proper under 28 U.S.C. § 1331, which provides that federal courts shall have "original jurisdiction of all civil actions arising under the Constitution, laws, or treaties of the United States," because Plaintiff asserts in his Complaint claims arising out of federal law, namely, the Fair Credit Reporting Act, 15 U.S.C. § 1681 ("FCRA").

Venue

7. Venue is proper in this Court pursuant to 28 U.S.C. §§ 1391(b) and 1441(a), because the United States District Court for the Southern District of New York is the federal court embracing the Supreme Court of the State of New York, County of Westchester, where Plaintiff originally filed the State Court Action.

Procedure

8. This Notice of Removal is timely. First Premier acknowledged service as of April 17, 2025, and therefore, First Premier has until May 17, 2025, to remove the case to this Court. *See* 28 U.S.C. § 1446(b)(1).

9. All defendants who have "been properly joined and served" consent to removal. *See* 28 U.S.C. § 1446(b)(2)(A). Defendant TransUnion has represented that it consents to removal even though it has settled this matter with Plaintiff.

10. As required by 28 U.S.C. § 1446(d), First Premier is serving a copy of this Notice of Removal on Plaintiff and filing a copy of this Notice of Removal with the Clerk of the Court

for the Supreme Court of the State of New York, County of Westchester. *See* Notice of Filing (exhibits omitted), attached as Ex. C.

CONCLUSION

WHEREFORE, First Premier hereby removes the above-captioned action now pending in the Supreme Court of the State of New York, County of Westchester, to the United States District Court for the Southern District of New York and requests that this Court assume full jurisdiction over this action as provided by law.

Dated: May 16, 2025

Respectfully submitted,

By: /s/Lauren N. Brown
Lauren N. Brown
BALLARD SPAHR LLP
1675 Broadway, 19th Floor
New York, NY 10019
(212) 223-0200 (Telephone)
(212) 223-1942 (Fax)
BrownLN@ballardspahr.com

*Attorneys for Defendant
First Premier Bank*

CERTIFICATE OF SERVICE

I hereby certify that I caused a copy of the foregoing Notice of Removal to be served by electronic filing by NYSCEF and by email upon the Plaintiff's counsel in the State Court Action as follows:

Nicola C. Richards
Sanders Law Group
333 Earle Ovington Boulevard, Suite 402
Uniondale, NY 11553
nrichards@sanderslaw.group
Attorneys for Plaintiff

Dated: May 16, 2025

Lauren N. Brown
Lauren N. Brown